

6  
8. (Amended) A utensil holder as claimed in claim 7,

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said wall structure terminating at a substantially planer uppermost edge,

said rods extending lengthwise along the wall structure [and cooperatively presenting an  
endmost, substantially flat entry face through which the utensil is first inserted],

said entry face being generally flush with the uppermost edge of the wall structure.

✓  
In line 1 of claim 8, following the word "claim", please replace the numeral "1" with  
the numeral --17--.

✓  
In line 1 of claim 9, following the word "claim", please replace the numeral "1" with  
the numeral --17--; and in line 2, following the word "relative", please delete the word "to".

✓  
In line 3 of claim 10, following the word "fixed", please insert the word --relative--.

✓  
In line 2 of claim 11, before the word "smaller", please replace the word "slightly"  
with the word --relatively--.

92  
13. (Amended) A utensil holder [as claimed in claim 12,] comprising:  
a case presenting a utensil-receiving opening; and  
a utensil-retaining rod assembly including a plurality of elongated, flexible rods,  
said rods being confined within the utensil-receiving opening in a manner that permits  
limited flexing movement of the rods, such that a utensil inserted into the opening  
is supported by the rod assembly and causes separation of adjacent ones of the rods

a2  
cont

to define a space that at least substantially collapses when the utensil is removed from the opening,

said rods being restricted against lengthwise shifting relative to one another,

said utensil-retaining rod assembly being configured to prevent relative lengthwise shifting of the rods so that the assembly may be unitarily removed from the utensil-receiving opening,

said utensil-retaining rod assembly including a base,

said rods being fixed relative to the base and projecting therefrom,

said base being located adjacent a common end of the rods, with the rods being otherwise detached from one another,

said rods cooperatively defining an endmost entry face opposite from the base,

said entry face spanning the utensil-receiving opening so that the utensil pierces through the entry face and then passes along the length of the rods.

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a2  
1. (Amended) A utensil holder [as claimed in claim 1,] comprising:

a case presenting a utensil-receiving opening; and

a utensil-retaining rod assembly including a plurality of elongated, flexible rods,

a3  
said rods being confined within the utensil-receiving opening in a manner that permits limited flexing movement of the rods, such that a utensil inserted into the opening is supported by the rod assembly and causes separation of adjacent ones of the rods to define a space that at least substantially collapses when the utensil is removed from the opening,

B  
said rods being restricted against lengthwise shifting relative to one another,

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cont.

said rods having common detached ends that cooperatively define an endmost entry face spanning the utensil-receiving opening so that the utensil pierces through the entry face and then passes along the length of the rods.

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✓ In line 1 of claim 19, following the word "claim", please replace the numeral "1" with the numeral --17--.

### REMARKS

Reconsideration of the present application is respectfully requested. Claim 1 has been canceled without prejudice or disclaimer, and claims 2, 3, 5, 8-11, 13, 17 and 19 have been amended, so that claims 2-20 are presently pending. Claims 13 and 17 are independent.

In the Office Action dated November 10, 1999, claims 1 and 2 are objected to because of minor informalities. Claim 2 has been amended, and the correction of the language in claim 1 is included in claims 13 and 17. Furthermore, claims 9-16 are rejected under 35 U.S.C. § 112, ¶ 2, as being indefinite. Claims 9 and 11 have been amended to address the concerns particularly noted in the Action. Thus, it is respectfully requested that the objection to and the § 112 rejection of the claims be withdrawn. It is also noted that a minor change has been made to claim 10 to simply clarify and more accurately recite the claimed structure.

Claims 13 and 17 are indicated as being allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. As suggested in the Action, claims 13 and 17 have been rewritten in independent form and should therefore be in condition for allowance. Claim 18 depends from claim 17 and should also be in condition for